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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/962,645	11/03/1997	HISASHI KAWAI	35.G1460-CI	9119

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EXAMINER

NGUYEN, LUONG TRUNG

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 03/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

08/962,645

Applicant(s)

Kawai

Examiner

Luong Nguyen

Art Unit

2612



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Jan 14, 2002

2a)  This action is FINAL.      2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4)  Claim(s) 14-23, 28, and 30-32 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 14-23, 28, and 30-32 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

15)  Notice of References Cited (PTO-892)

18)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

16)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

19)  Notice of Informal Patent Application (PTO-152)

17)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_

20)  Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Continued Prosecution Application***

1. The request filed on 1/14/2002 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 08/962,645 is acceptable and a CPA has been established. An action on the CPA follows.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 14-23, 28, 30-32 filed on 12/10/2001 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

3. Claims 14-23, 28, 30-32 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 14 and 28, there is no disclosure to describe the newly added limitation "a control unit adapted to automatically store an image signal including a predetermined angle in a storage unit, in accordance with detecting a change of the image pickup direction by said first detection unit."

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Regarding claim 22, there is no disclosure to describe the limitation “said predetermined angle is not detected by said detecting unit.”

Claims 15-23 are rejected as being dependent on claim 14.

Claims 30-32 are rejected as being dependent on claim 28.

4. Claims 19-23, 28, 30-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 14 (line 10) and claim 20 (line 2), both recite the limitation “a control unit”. Is the “control unit” in claim 20 same with “control unit” in claim 14 or claim 20 recites a different “control unit”?

Claim 14 (line 10) and claim 21 (line 2), both recite the limitation “a control unit”. Is the “control unit” in claim 21 same with “control unit” in claim 14 or claim 21 recites a different “control unit”?

Claim 14 (line 10) and claim 22 (line 2), both recite the limitation “a control unit”. Is the “control unit” in claim 22 same with “control unit” in claim 14 or claim 22 recites a different “control unit”?

Claim 14 (lines 4-5) and claim 23 (lines 4-5), both recite the limitation “an image pickup unit adapted to pick up an image”. It is unclear because these claims recite repetitive limitation “an image pickup unit adapted to pick up an image”.

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Claim 14 (lines 6-7) and claim 23 (lines 7-8), both recite the limitation “an image pickup direction switch adapted to switch the image pickup direction of said image pick up unit”. It is unclear because these claims recite repetitive limitation “an image pickup direction switch adapted to switch the image pickup direction of said image pick up unit”.

Claim 14 (line 11) and claim 23 (line 13), both recite the limitation “a storage unit”. Is the “storage unit” in claim 23 same with “storage unit” in claim 14 or claim 23 recites a different “storage unit”?

Claim 14 (line 10) and claim 23 (line 18), both recite the limitation “a control unit”. Is the “control unit” in claim 23 same with “control unit” in claim 14 or claim 23 recites a different “control unit”?

5. Claim 19 (lines 7-8) recite the limitation “the angle detected by said first detection unit”, there is insufficient antecedent basis for this limitation. Note that in claim 14 (lines 8-9) only recite the limitation “a first detection unit adapted to detect a change of angle of the image pickup direction”.

Claim 28 (line 8) recites the limitation "said" in “said first detection unit”. There is insufficient antecedent basis for this limitation in the claim.

Claim 30 (line 2) recites the limitation “the” in “the stored image signals”. There is insufficient antecedent basis for this limitation in the claim.

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Claim 30 (lines 3-4) recite the limitation “the detected angle of the image pickup direction”, there is insufficient antecedent basis for this limitation. Note that in claim 28 (line 5) only recite the limitation “detecting a change of angle of the image pickup direction”.

Claims 30-32 are rejected as being dependent on claim 28.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 14-21, 23, 28, 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi (US 5,550,588) in view of Ishikawa et al. (US 4,939,580).

Regarding claims 14, 17, 23, Hayashi discloses an image input device comprising an image pickup unit, disclosed as camera unit 10 (figure 4, column 5, lines 53-60); an image pickup direction switch, disclosed as mode select switch 2a (figure 4, column 6, lines 25-30); a first detection unit adapted to detect a change of an angle of the image pick up direction (sensor 2 for sensing operation state of camera mount 20 to detect the shooting angle of camera 10, figure 4, column 6, lines 13-30); a control unit (write device 4, figure 4, column 6, lines 30-40) to automatically store an image signal in storage unit (image memory 5, figure 4, column 6, lines 30-40); mount table, disclosed as desk 14 (figure 4, column 5, line 60). Hayashi fails to specifically

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disclose storing an image signal including a predetermined angle in a storage unit, in accordance with detecting a change of the image pickup direction by said first detection unit. However, Ishikawa et al. teaches that image signals are always output except when the camera is moved (video output is inhibited during camera movement, see abstract). This implies that, when the camera is moved from direction 1 to direction 2, it will stop outputting signals while moving, and once it is fixed at new location 2, signals will start to be output again. This shows that the output signal is read when a change has been detected. Therefore, it would have been obvious to modify the device in Hayashi by the teaching of Ishikawa et al. in order to only store image signal when a change has been detected. Doing so, it saves the memory of the storage unit.

Regarding claim 15, Hayashi discloses a second detection unit to determine whether the image pickup direction is fixed (sensor 2 for sensing operation state of camera mount 20 to detect the shooting angle of camera 10, at the detected shooting angle, the direction of camera is fixed, figure 4, column 6, lines 13-30).

Regarding claim 16, Hayashi, figures 2A-2C, 3A-3B show camera 10 which move in the direction indicated by arrow. Although a moto-type driving means is not explicitly shown, it is considered inherent since the camera moves.

Regarding claim 18, Hayashi discloses a control unit to control the storage unit as write device 4 (figure 4).

Regarding claim 19, Hayashi discloses the storage unit has more than two areas for storing an image signal (plurality of memory blocks, figures 7A-7B).

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Regarding claim 20, Hayashi discloses control unit as write device 4 (figure 4). Hayashi discloses that the system stores signals at all times, that inherently includes “image signal stored by said storage unit repeatedly”.

Regarding claim 21, Hayashi discloses control unit outputs an image signal stored by said storage unit selectively (column 6, lines 30-41).

Regarding claim 28, all the limitations are contained in claim 14. Therefore, see Examiner's comment regarding claim 14.

Claim 30 is considered substantively equivalent to claim 18 discussed above.

Claim 31 is considered substantively equivalent to claim 20 discussed above.

Claim 32 is considered substantively equivalent to claim 21 discussed above.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Luong Nguyen** whose telephone number is **(703) 308-9297**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reached on **(703) 305-4929**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
**or faxed to:**

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(703) 308-6306

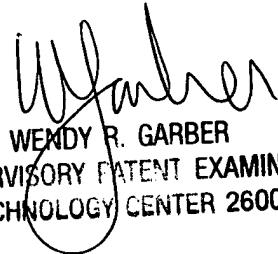
or:

(703) 308-6296

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive,  
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Technology Center 2600 Customer Service Office whose telephone  
number is (703) 306-0377.

LN LN  
3/23/2002

  
WENDY R. GARBER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600